

***COMPREHENSIVE REPORT OF THE STATUS OF
COAL MINE SAFETY IN UTAH CALENDAR YEAR
2012***

**REPORT TO GOVERNOR GARY R. HERBERT AND
THE UTAH STATE LEGISLATURE**

Submitted by:

UTAH LABOR COMMISSION

UTAH OFFICE OF COAL MINE SAFETY

MINE SAFETY TECHNICAL ADVISORY COUNCIL

October 23, 2013

The Honorable Gary R. Herbert
Governor of the State of Utah

The Honorable Wayne Neiderhauser
President, Utah State Senate

The Honorable Rebecca D Lockhart
Speaker, Utah House of Representatives

Dear Governor Herbert, President Neiderhauser, and Speaker Lockhart:

The Utah Coal Mine Safety Act directs the Utah Labor Commission, its Office of Coal Mine Safety, and the Mine Safety Technical Advisory Council to submit to the Governor and Legislature an annual comprehensive report of the status of coal mine safety within the state. This is the fifth such report since the Legislature enacted the Coal Mine Safety Act in 2008.

Coal mining is an important part of Utah's history, culture and economy. Coal miners rely on the industry to provide for their families. Working in the industry, however, exposes miners to certain health and safety concerns. This point was driven home in August 2007 at the Crandall Canyon mine accident in Emery County, Utah, in which 6 miners and 3 rescuers lost their lives. In response to this tragic accident the Legislature enacted the Coal Mine Safety Act and the Office of Coal Mine Safety was established.

This report submitted by the Office of Coal Mine Safety and the Mine Safety Technical Advisory Council includes recommendations that we believe will continue to improve coal mine safety in the State of Utah. We invite your questions and comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Hayashi", with a large, stylized initial "H" or "S" at the beginning.

Sherrie Hayashi,
Commissioner

Introduction

Section 40-2-303 of the Utah Coal Mine Safety Act directs the Utah Labor Commission, with its Office of Coal Mine Safety (OCMS) and Mine Safety Technical Advisory Council (MSTAC), to submit to the Governor and Legislature an annual comprehensive report regarding coal mine safety in Utah for the preceding calendar year. The statute requires that the report include: 1) a compilation of major coal mine accidents or other coal mine emergencies within the state during the calendar year;¹ 2) a statement of actions by the commission, office, or council to implement this chapter; 3) without a breach in confidentiality, a summary of reports of alleged unsafe conditions received by the office, with a statement of the office's responses; 4) recommendations for additional action to promote coal mine safety; and 5) any other items the commission, office, and council consider appropriate. Each of these items are discussed in this report.

¹ Though not inclusive, the list of accidents or emergencies includes:

1. A death of an individual at a mine;
2. An injury to an individual at a mine which has a reasonable potential to cause death;
3. An entrapment of an individual for more than thirty minutes or which has a reasonable potential to cause death;
4. An unplanned inundation of a mine by a liquid or gas;
5. An unplanned ignition or explosion of gas or dust;
6. In underground mines, an unplanned fire not extinguished within 10 minutes of discovery; in surface mines and surface areas of underground mines, an unplanned fire not extinguished within 30 minutes of discovery;
7. An unplanned ignition or explosion of a blasting agent or an explosive;
8. An unplanned roof fall at or above the anchorage zone in active workings where roof bolts are in use; or, an unplanned roof or rib fall in active workings that impairs ventilation or impedes passage;
9. A coal or rock outburst that causes withdrawal of miners or which disrupts regular mining activity for more than one hour;
10. An unstable condition at an impoundment, refuse pile, or culm bank which requires emergency action in order to prevent failure, or which causes individuals to evacuate an area; or, failure of an impoundment, refuse pile, or culm bank;
11. Damage to hoisting equipment in a shaft or slope which endangers an individual or which interferes with use of the equipment for more than thirty minutes; and
12. An event at a mine which causes death or bodily injury to an individual not at the mine at the time the event occurs.

I. SUMMARY OF COAL MINE ACCIDENTS/EMERGENCIES

Date	Mine	Accident or Emergency
3/29/2012	Utah American Energy West Ridge Mine	There was an inundation of methane gas at the tailgate of the long wall face. The mine was evacuated and the Mine Safety and Health Administration (MSHA) was notified.
3/29/2012	Canyon Fuel Co. SUFCO Mine	While doing rehabilitation work, fluctuating carbon monoxide readings were encountered behind the sealed area. MSHA was notified about the sampling results. MSHA determined that there was not a sudden influx or inundation of gases.
4/10/2012	Utah American Energy West Ridge Mine	There was an inundation of methane and hydrogen sulfide gases in the mains section which is an access road in the mine. An MSHA inspector was in the section and issued a 103 K (shut-down) order and began his investigation.
5/08/2012	Consol Energy Emery Mine	A fire boss conducting a weekly examination found a roof fall measuring 30 feet long, 16 feet wide, and 7 feet high. While investigating , a second roof fall was found. This fall was 20 feet long, 18 feet wide, and 7 feet high. It was determined that the second fall may have been connected with the previous fall.
5/31/2012	Energy West Mining Company Deer Creek Mine	A roof fall was found off the tailgate entry of the west long wall. The roof fall was approximately 16 feet from the tail gate and was approximately 30 feet long, 20 feet wide, and 5 feet high. The roof fall blocked access to the tailgate and the fall debris was removed.
7/14/2012	Canyon Fuel Co. Skyline Mine	There was a roof fall in one of the main cross-sections that blocked the escape way. The roof fall was removed.
9/12/2012	Canyon Fuel Co. Dugout Mine	A roof fall occurred in the gob area of the long wall face that disrupted ventilation. The gob area is the waste that drops behind the mining shields at the long wall face. Ventilation devices in the south mains were damaged. Ventilation was restored.

10/7/2012	Castle Valley Mines # 4 Mine	A roof fall was discovered on the belt entry. The fall was approximately 20 feet wide, 56 feet long, and 5 feet high. The roof fall debris was removed.
12/5/2012	Energy West Mining Company Deer Creek Mine	A roof fall occurred just off the tailgate of the west long wall face. The fall was approximately 60 feet long, 20 feet wide, and 2.5 feet high. The fall was found during the weekly examination. The roof fall blocked access to the tailgate entry and the debris was removed.
12/17/2012	Hidden Splendor Resources Horizon Mine	An examiner discovered a roof fall in the belt entry. The fall was not in an escape way and did not impede ventilation. The fall was approximately 70 feet long, 20 feet wide, and 7 feet high. The access to the area was restricted, and two rows of breaker posts were set.

II. IMPLEMENTATION OF THE COAL MINE SAFETY ACT

The OCMS has continued to implement the Coal Mine Safety Act. Highlights of major activities in 2012 include:

- MSTAC held quarterly meetings in March, June, September, and December.
- The OCMS Director visited all the operating coal mines in the state at least once a quarter to discuss any safety related issues
- The OCM Director routinely visited the training facilities that provide mine safety training throughout the state.
- OCMS also maintains a safety hot line phone number that allows miners and mine operators to report any unsafe mining conditions. During 2012 there were 8 hot line calls to the OCMS..
- The OCMS Director has also been active in the community and has been involved with various mining organizations. He attended the Utah Mine Association Annual Safety conference in August, participated in the annual Utah Mine Rescue competition in Price

Utah in June and attended all Local Emergency Planning Committee meetings in Carbon, Emery, and Sanpete counties.

III. SUMMARY OF REPORTS OF ALLEGED UNSAFE CONDITIONS

Date	Mine	Complaint
7/8/2012	Coal Hollow Mine Alton Coal Development	<p>A complaint was called into the OCMS hotline number that the superintendent of the mine was counter-signing the daily and on-shift reports and was not a certified surface foreman. The caller also stated that there were no certified personnel on the afternoon shift, and that when the foreman was absent personnel without surface foreman credentials were left in charge.</p> <p>Action by the OCMS: The OCMS conferred with MSHA and it was determined that there is no federal or state requirement that company personnel be certified to counter-sign the books. The company gave the OCMS a listing of their certified personnel and shifts. The OCMS determined that there were certified personnel on all shifts. The mine's actions did not violate state or federal law and there was no safety hazard related to the mine's actions.</p>
7/18/2012	Coal Hollow Alton Coal Development	<p>A complaint was called into the OCMS that the Superintendent of the mine was not a certified surface foreman.</p> <p>Action by the OCMS: The OCMS conferred with MSHA and it was determined that there is no federal requirement that the Superintendent be certified. Under federal law, the only personnel required to be certified are those who perform pre-shift and on-shift inspections. Company personnel who are not certified are allowed to direct the mine's workforce. State law requires that surface foremen be certified but does not require a superintendent to be a certified surface foreman. The company has certified personnel on all shifts and all required pre-shift and on-shift inspections are being performed. The mine's actions did not violate state or federal law and there was no safety hazard related to the mine's actions.</p>

IV. RECOMMENDATIONS

The purpose of the Office of Coal Mine Safety is to maximize safety in Utah's Coal Mines. As part of our report to the Governor and legislature, each year, OCMS and MSTAC provide the following recommendations in furtherance of this goal:

1. Full-time OCMS Director: Labor Commission and the Mine Safety Technical Advisory Council recommends funding be provided for a full-time OCMS Director. This will improve the ability of the OCMS to promote safety in the coal mining industry and further meet the requirements of the Coal Mine Safety Act.
2. Funding for USU Mine Safety Training Program: MSHA recently cut state safety training grants for 2013. The Mine Safety Technical Safety Council made recommendations to Utah State University (USU) Eastern to provide funding for their mine safety training program. Please see the attached letter for those recommendations.

CONCLUSION

During calendar year 2012, the OCMS continued its role as an ombudsperson for coal mine safety throughout the State of Utah. In working with various federal, state, research, emergency responders, education, the mining industry, and coal miners, OCMS continues to work to improve safety with limited resources and fulfill the statutory intent of the Coal Mine Safety Act.